

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IDENTITY ARTS, LLC,

Plaintiff,

v.

BEST BUY ENTERPRISE SERVICE, INC.,
et al.,

Defendants.

No. C 05-4656 PJH
(Related Case No. 06-1631 PJH)

**ORDER GRANTING MOTION FOR
ENTRY OF JUDGMENT AND
STAYING CASE**

Plaintiff's Motion for Entry of Judgment Pursuant to Federal Rule of Civil Procedure ("FRCP") 54(b) or in the Alternative, for an Order Certifying Grounds for Interlocutory Appeal Pursuant to § 1292(b) came on for hearing on August 8, 2007. Drexel A. Bradshaw appeared for plaintiff; David Martinez appeared for defendant. Having read all the papers submitted and carefully considered the relevant legal authority, plaintiff's motion for entry of judgment pursuant to FRCP 54(b) is hereby GRANTED for the reasons stated at the hearing. Defendant's request to stay the proceedings on the remaining breach of implied contract claim is GRANTED.

Discovery and all other proceedings are STAYED until the appeal of the copyright infringement claims has been resolved. Plaintiff is ORDERED to file a notice of appeal immediately following the court's approval of a jointly prepared judgment to be submitted within one week from the date of this order. The court will revisit the stay should the related case (Gee Jeffery & Partners Advertising v. Best Buy, Case No. 06-1631) proceed

1 with discovery.

2 SO ORDERED.

3 Dated: August 8, 2007



PHYLLIS J. HAMILTON
United States District Judge

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